

August 25, 2010

TO: Teresa Parsons, SPHR  
Director's Review Program Supervisor

FROM: Kris Brophy, SPHR  
Director's Review Investigator

SUBJECT: Jacalyn Hoppen v. Department of Corrections (DOC)  
Allocation Review Request ALLO-10-003

### **Director's Determination**

This position review was based on the work performed for the twelve-month period prior to August 26, 2009, the date Washington State Penitentiary (WSP) Human Resources received the request for a position review. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by both parties during the review conference. Based on my review and analysis of Ms. Hoppen's assigned duties and responsibilities, I conclude her position is properly allocated to the Correctional Records Technician 1 (CRT1) classification.

### **Background**

On August 26, 2009 WSP HR received Ms. Hoppen's Position Description (PDF), requesting that her CRT1 position be reallocated to Correctional Records Technician 2 (CRT2). On December 18, 2009 Nicole Baker, Human Resource Consultant (HRC), notified Ms. Hoppen that her position was properly allocated as a CRT 1. Ms. Baker determined the majority of duties assigned to the position met the CRT 1 class (Exhibit A-2).

On January 11, 2010, the Department of Personnel received her request for a Director's review of DOC's allocation determination (Exhibit A-1).

On July 29, 2010, I conducted a Director's review telephone conference. Present during the call were Jacalyn Hoppen, Nicole Baker, HRC - DOC; Joanne Harmon, HRC - DOC; Mike Raich, HRC-DOC; and Lorna Ovena, Human Resource Director - DOC.

Following the telephone conference the parties submitted additional information regarding issues raised during the conference, with the last information received on August 12, 2010. These materials have been incorporated as exhibits and added to the file as Director's exhibits.

### **Rationale for Director's Determination**

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

### **Duties and Responsibilities**

Ms. Hoppen's position provides technical correctional records support to the West Complex Records Office at the Washington State Penitentiary. The purpose of her position is to enter, audit, and ensure the quality control of offender sentence structure information in compliance with state and federal laws, Superior Court sanctions, and agency policies and procedures. This includes maintaining a caseload with responsibility for updating records with sentencing and release information including preparing and auditing files for the release process.

Additionally, Ms. Hoppen leads the work of four CRT 1 positions and one Office Assistant 3 (OA3) in the unit. This includes prioritizing workloads, directing work, and training new and existing staff on proper policies, procedures and process requirements.

Ms. Hoppen's supervisor, Shirley Conrad (who has subsequently retired), fully supports Ms. Hoppen's request and completed the PDF on Ms. Hoppen's behalf. During the review telephone conference, Ms. Hoppen clarified that Ms. Conrad misstated some of the work described in the PDF. (Note – This information will be clarified below\*). In section 24(b) of the PDF (Exhibit B-1), Ms. Conrad states that she has, "...given an abundance of lead support to the Records Supervisor, other Records Technician 1's and the OA3. She has done most all of the training for all the CRT 1's as the West Complex at WSP has expanded. She has been the Acting Correctional Records Supervisor 2 for many occasions throughout the years. She is the lead person most of the CRT 1's go to for direction and help understanding the complexity of the Records duties."

The following summarizes the duties described on the PDF. As noted in Exhibit B-3, the percentage of duties discussed and used in the DOC desk audit did not correspond exactly to the percentages given in the Key Work activities section of the PDF (Exhibit B-1). During the Director's review conference the parties agreed to revise the percentages of work for Ms. Hoppen's assigned duties to reflect her work

during the review period. These percentages of work have been incorporated into the record below:

- 35%. Manages a small caseload by maintaining a tracking system to ensure timely release notifications, verifying warrants and detainers, preparing packets, processing court orders and subpoenas for testifying, calculating and establishing offender release dates, serving offenders with release paperwork, and answering offender kites and distributing documents to appropriate parties. Audits offender central files including reviewing and verifying the accuracy of court documents, and contacting the court for appropriate corrections and clarifications. Verifies information is accurate in the OBTS/OMNI data base against source documents, making changes as required and notifying appropriate parties.
- 35% Manages the West Complex Record's office by attending meetings, coordinating offender movement, responding to outside agencies and being the liaison with other DOC staff when required. Supervises, evaluates\*, trains, and gives direction and guidance to the 4 Correctional Records Technician 1's. Responds to questions from other facility staff regarding records issues. Reports issues to the Correctional Records Supervisor 2 which require attention.

*\* Note: In the desk audit notes and during the review telephone conference, Ms. Hoppen clarified that she was not directly involved in developing and conducting performance evaluations for staff. Her role involved providing input on performance for use by Ms. Conrad. (See Exhibit B-1, Section 27.a)*

- 15% Provides updated color front/side photos of offenders 45 days prior to release. Sends photos of sex offenders to the End of Sentence Review Committee for distribution to law enforcement agencies for bulletins. Registers all offenders prior to release. Notarizes documents for staff and offenders when requested. Provides process service of documents to offenders sent from the Attorney Generals' office, Courts, DSHS, law enforcement agencies and private parties.
- 10% Photographs, fingerprints and prepares photo identification cards on offenders, staff, volunteers, and contractors when required.
- 5% Responds to inmate kites and letters from public.

### **Summary of Ms. Hoppen's Perspective**

Ms. Hoppen asserts the CRT1 position does not describe the level of responsibility she was given by her supervisor to train staff and to prioritize, assign, direct, and assess the work of the other CRT1's in her unit. She asserts her supervisor gave her responsibility for training staff, and the Correctional Program Manager knew and supported her in taking on additional roles and responsibilities.

Ms. Hoppen further asserts there are positions in other DOC records offices classified at the CRT 2 level that report to a Correctional Records Supervisor.

Ms. Hoppen disagrees with Ms. Baker's assertion that in order to meet the CRT 2 level of responsibility for managing a correctional records office, the incumbent must fully meet the definition of "managerial in nature" in the DOP Glossary of Classification, Compensation, & Management, stating that her supervisor did not develop or maintain the budget for her unit as this function was performed at a higher level within the agency (Exhibit D-3).

### **Summary of DOC's Reasoning**

DOC asserts the majority of Ms. Hoppen's responsibilities are described by the CRT 1 class. DOC asserts that while she trains and gives direction and guidance to the 4 CRT 1's in the records unit, she does not have the full scope of managerial responsibility required for allocation to the CRT 2 class. DOC asserts that in order to meet the Definition of CRT 2 requirement for managing a correctional records office, her work must meet the definition of "managerial" in its entirety as defined in DOP's Glossary of Classification, Compensation and Management which defines managerial as, "plans, coordinates, integrates, executes, controls and evaluates activities and functions of an organization. This includes developing budgets, policies and procedures, service delivery, and staff supervision." DOC asserts Ms. Hoppen's supervisor, Shirley Conrad, manages the office and retains responsibility for staff supervision and other management functions.

In response to Ms. Hoppen's assertion that her position is comparable to a Correctional Records Technician 2 position at Coyote Ridge Corrections Center, DOC cites to the past Personnel Resources Board decision - Byrnes v. Dept's of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006) which states therein: "...the allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position." (Exhibit D-2)

### **Comparison of Duties to Class Specifications**

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification.

In Byrnes v. Dept's of Personnel and Corrections, PRB No. R-ALLO-06-005 (2006), the Board held that "[w]hile a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar

position is not a determining factor in the appropriate allocation of a position." Citing to Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

### Comparison of Duties to Correctional Records Technician 2

The Definition for Correctional Records Technician 2 states, "Manages a correctional records office and performs sentence structure duties." [Emphasis added]

There are no Distinguishing Characteristics for this class.

Ms. Hoppen's position does not fully meet the requirements of managing a correctional records office as stated in the Definition for this class.

Ms. Hoppen stated during the review telephone conference that she assumed a greater role in directing the technical work of staff and was responsible for keeping her supervisor apprised of what was going on in the unit. Ms. Hoppen stated that during the review period, her decision making authority principally involved working with her staff to resolve technical records sentencing issues. As stated in section 27(a) of the PDF (Exhibit B-1), she attended meetings, coordinated offender movement, responded to questions from facility staff regarding records issues. She brought issues requiring attention to her supervisor. She stated during the review telephone conference that she did not have authority for ordering supplies and equipment, maintaining the office budget, and performing staff supervision activities related to office work flow activities such as approving leave requests.

Although the Typical Work examples do not form the basis for an allocation, they lend support to the work envisioned within a classification. The following provides an example of the level of work assigned to the Correctional Records Technician 2 class, as stated on the class specification:

Trains staff on use of offender database; application of Public Disclosure laws (RCW 42.17), Criminal History Record Information laws (RCW 10.97), and implementation/revision of operational responsibilities resulting from changes in law, court decisions, administrative regulations, departmental policy, etc.; [Emphasis added]

May lead a Correctional Records Technician 1;

In reviewing Ms. Hoppen's duties and responsibilities, it is clear that her position assumed additional responsibilities over time. Ms. Hoppen stated during the review telephone conference that she began to take on a general lead role in the office beginning in 2006. With the expansion of the West Complex Records office, her supervisor asked her to train new staff, and she began training a new CRT1 on release procedures in April 2008. She also began training two other new CRT's starting in June 2008, which included training on both intake and release functions. By email dated May 29, 2009 (Exhibit A-3(p.7)), Ms. Conrad reassigned unit

caseloads and Ms. Hoppen was assigned responsibility for checking the releases of other staff, training staff on technical release procedures, and ensuring office coverage. This level of responsibility is consistent with the CRT 2 level typical work statements, "May train staff", and "May lead a Correctional Technician 1".

It is clear Ms. Hoppen demonstrates a thorough knowledge and understanding of her position. She uses her expertise to share her knowledge with co-workers through training and giving work direction and guidance to staff. This is evident by the level of technical assistance she provides to her coworkers (Exhibit A-3). However, while approximately 35% of her time is spent training, giving technical direction and guidance to the other Correctional Records Technician 1's, her supervisor, Shirley Conrad, retained responsibility at the operational level for the office management function. This included developing or revising work methods and procedures, resolving higher level internal and external problems or issues, and monitoring the budget.

Because Ms. Hoppen did not have independent responsibility for managing the overall office function as required her position should not be reallocated to the CRT 2 level class.

#### Comparison of Duties to Correctional Records Technician 1

The Definition for Correctional Records Technician 1 states:

Performs correctional records technical tasks and sentencing structure duties within a correctional records office. Calculates length [o]f incarceration and/or community supervision time under the supervision of a Correctional Records Supervisor.

The CRT1 class position does not fully describe the level of responsibility Ms. Hoppen exercised in her position. She was delegated responsibility by her supervisor to train staff and audit the releases of the other CRT1's in her unit. The amount of direction she has provided and her responsibilities as a whole have been consistent with a lead position which exceeds the level of responsibility found in the CRT 1 level class. However, while Ms. Hoppen trains and gives direction and guidance to the four Correctional Technician 1's and one OA3 position in the unit, and handles aspects of the sentencing structure duties within the unit, her responsibility is limited to coordinating work flow issues and providing technical assistance and direction to staff. Further, her supervisor retained the ultimate responsibility at the operational level for the office management function.

Therefore, in reviewing her overall duties and responsibilities, the primary focus of her position, and the majority of her duties as a whole, involves reviewing, verifying, compiling, and disseminating offender records in accordance with applicable directives, rules, regulations, policies and procedures pertaining to offender convictions and sentencing. This level of responsibility is consistent with the CRT 1 level class.

Additionally, most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

Therefore, based on the information provided and our discussion during the Director's review telephone conference, it is clear Ms. Hoppen has an important role in ensuring the Correctional Records Office operations run smoothly and efficiently. It is also evident that her efforts are greatly appreciated and valued by staff at the WSP. However, a position review is not an evaluation of performance. Likewise, it does not reflect an individual's ability to perform higher-level duties. Rather, a position review is limited to the duties and responsibilities assigned to a position and how the majority of those duties best fit the available job classifications.

Based on the overall assignment of work, the majority of the responsibilities and duties assigned to Ms. Hoppen's position are best described by the definition and intent of the Correctional Records Technician 1 job class. Her position performs correctional records technical tasks and sentencing structure duties within a correctional records office under the supervision of a Correctional Records Supervisor.

c: Nicole Baker, DOC  
Lisa Skriletz, DOP

Enclosure: List of Exhibits

**Jacalyn Hoppen v. Department of Corrections (ALLO-10-003)**

List of Exhibits

A. Jacalyn Hoppen Exhibits

1. Request for Director's Review Form, dated January 11, 2010.
2. DOC Allocation Determination Letter, dated December 18, 2009.
3. Exhibit packet cover letter from Jaci Hoppen listing exhibits:
  - Page 1-8: Supervisor knowledge (no page 4)
  - Page 9-18: CRT Training
  - Page 19-32: Leading CRT's in planning and coordinating their work
  - Page 33-49: Evaluating CRT's work
  - Page 50-52: Answering CRT questions
  - Page 53: Letter documenting training

B. Department of Corrections Exhibits

1. Position Description for Jacalyn Hoppen, dated August 26, 2009.
2. Position Description for Jacalyn Hoppen, dated October 26, 2007.
3. Desk Audit notes from dated October 2, 2009.
4. Washington State Penitentiary Records Organizational Chart.
5. Class Specification: Correctional Records Technician 1.
6. Class Specification: Correctional Records Technician 2.
7. Class Specification: Forms & Records Analyst 2.

C. Director's Exhibits

1. Email from Jacalyn Hoppen to Kris Brophy dated July 29, 2010, enclosing a Position Description for another CRT position at Coyote Ridge Corrections Center (CRCC).
2. Email from Nicole Baker to Kris Brophy, dated August 3, 2010, in response to the position description for the CRT position at CRCC.
3. Email from Jacalyn Hoppen to Kris Brophy, dated August 12, 2010, discussing Nicole Baker's August 2, 2010 response.
4. Email from Nicole Baker to Kris Brophy, dated August 12, 2010, discussing Jacalyn Hoppen's August 12 response.